

CONCURRENCE IN SENATE AMENDMENTS

AB 2667 (Hadwick and Wicks)

As Amended August 21, 2026

Majority vote

SUMMARY

Requires, until January 1, 2030, the Department of Toxic Substances Control (DTSC) to evaluate opportunities for the safe management of vape pens confiscated from students at a school.

Prohibits anyone from selling, marketing, advertising, or distributing a vape product if the vape product imitates a food marketed to minors, such as candy; if the vape imitates school supplies commonly used by minors; or, if the vape is constructed into clothing or accessories that could be marketed to minors.

Senate Amendments

- 1) Delete the following provisions from the bill:
 - a) Authorize household hazard waste (HHW) facilities to mechanically disassemble vapes so that those facilities may separately process the components of the vapes; and,
 - b) Prohibits anyone from selling, marketing, advertising, or distributing a vape product if the vape product ; uses branding that is known to appeal to minors.
- 2) Authorizes a school transporting vape pens and devices confiscated from students to transport the vape pens and devices to a HHW collection facility without having to fill out a hazardous waste manifest.
- 3) Authorizes, when hazardous waste is transported to a HHW collection facility, a school or HHW collection facility to rely on guidance issued by the United States Environmental Protection Agency, as specified.
- 4) Add chaptering amendments with AB 762 (Irwin).

COMMENTS

Hazardous waste management: Hazardous waste is a waste with properties that make it potentially dangerous or harmful to human health or the environment. In regulatory terms, a waste is hazardous if it appears on a federal Resources Conservation and Recovery Act hazardous wastes list or exhibits one of the four characteristics of a hazardous waste: ignitability, corrosivity, reactivity, or toxicity. However, materials can be hazardous waste even if they are not specifically listed or do not exhibit any characteristic of a hazardous waste. Hazardous waste is prohibited from being disposed of in the trash and must be properly transported and disposed of at permitted treatment, storage, and disposal facilities or at a recycling facility.

Regulation of batteries: State law, the Hazardous Waste Control Law, prohibits the disposal of batteries in the trash or household recycling collection bins intended to receive other non-hazardous waste and/or recyclable materials. Many types of batteries, regardless of size, exhibit hazardous characteristics and are considered hazardous waste when they are discarded. These include single use alkaline and lithium batteries and rechargeable lithium metal, nickel cadmium, and nickel metal hydride batteries of various sizes (AAA, AA, C, D, button cell, 9-Volt, and

small sealed lead-acid batteries). Many batteries are sold within products, such as lithium-ion batteries, which are widely used in portable electronics like laptops, smart phones, digital cameras, game consoles, and cordless power tools. Because lithium-ion batteries contain hazardous and corrosive materials, they also pose a fire risk if not stored or disposed of properly. Single use vape devices usually contain a lithium-ion battery, making them hazardous waste at the end of life of the product.

HHW collection: Many common household products are also hazardous, and when these products are discarded, they become "HHW." Common HHW includes, but is not limited to, antifreeze, glue and adhesives, pesticides, used oil, batteries, electronic wastes, and household cleaners. In California, HHW is prohibited from being disposed of in the trash, down the drain, or by abandonment, and must be disposed of through a HHW Program. Most HHW programs are run by local government agencies such as cities or counties.

This bill: Requires, until January 1, 2030, DTSC to evaluate opportunities for the safe management of vape pens confiscated from students at a school. Additionally, AB 2667 authorizes a school transporting vape pens and devices confiscated from students to transport the vape pens and devices to a HHW collection facility without having to fill out a hazardous waste manifest.

Environmental impacts of disposable vapes: In the 2023 report, "Vape waste: The environmental harms of disposable vapes," the United States Public Interest Research Group Education Fund states:

"One product stands apart as being particularly harmful to our environment and public health—disposable vapes. Vapes, also known as e-cigarettes, are handheld battery powered electronic devices with heated metal coils that vaporize a liquid containing nicotine or cannabis products, known as e-liquid. Nicotine is the famously addictive stimulant found in tobacco that gives smokers a dopamine hit, and makes quitting difficult. Much has been made of the public health harms of disposable vapes, but this report aims to understand their effects as hazardous electronic waste.

Electronic waste produced from disposable vapes includes both the circuit boards and lithium ion batteries that power the device. These boards contain some of the heavy metals mentioned above, which can leach into the groundwater. Due to the nicotine e-liquid used in these products, vape waste can't be recycled with other plastics because the substance is defined by the [US] EPA as an acute hazardous waste."

Marketing of vapes that look like harmless school supplies: When vape products are made to look like school supplies, it further burdens schools when addressing vape use at schools. Additionally, when vape products look like school supplies, it is very likely that they will end up in the solid waste stream. This could lead to increased fires in solid waste trucks and solid waste landfills.

This bill: AB 2667 additionally prohibits anyone from selling, marketing, advertising, or distributing a vape product if the vape product imitates a food marketed to minors, such as candy; if the vape imitates school supplies commonly used by minors; or, if the vape is constructed into clothing or accessories that could be marketed to minors.

According to the Author

"Manufacturers are deceptively designing and marketing vapes to children. These vapes are disguised as everyday items, like school supplies or clothing. Some have features intentionally designed to increase dependency and addiction, like built-in video games. Schools are increasingly confiscating these vapes, yet they lack practical options to safely manage and dispose of them. Similarly, local household hazardous waste facilities receiving these vapes are unable to identify them and disassemble them, increasing costs and fire hazards.

Assembly Bill 2667 cracks down on these dangerous devices by banning disguised and interactive vapes. It also gives schools and local governments the tools to safely manage and dispose of vape waste. This bill protects kids, supports schools, and ensures hazardous materials are handled responsibly."

Arguments in Support

According to a coalition of groups including Rural County Representatives of California, Zero Waste Marin, Del Norte Solid Waste Management Authority, National Stewardship Action Council, California Product Stewardship Council, Los Angeles Unified School District, Republic Services, and Recology:

"Assembly Bill 2667 seeks to protect children, young adults, and the public by: 1) Banning disguised vapes and vapes containing video display devices, 2) Providing an easier regulatory pathway for schools to properly dispose of vapes confiscated from students, and 3) Improving the safe collection, management, and proper disposal of vapes by local household hazardous waste (HHW) collection facilities."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee, enactment of this bill could result in annual costs to DTSC of approximately \$440,000, annual costs of approximately \$239,000 to \$463,000 to the California Department of Tax and Fee Administration, and unknown but potentially forgone cannabis product license fee revenue.

VOTES:**ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 7-0-0**

YES: Connolly, Ellis, Bauer-Kahan, Castillo, Lee, McKinnor, Papan

ASM BUSINESS AND PROFESSIONS: 19-0-0

YES: Berman, Johnson, Addis, Ahrens, Alanis, Bains, Bauer-Kahan, Caloza, Chen, Elhawary, Hadwick, Haney, Hart, Irwin, Jackson, Lowenthal, Macedo, Nguyen, Pellerin

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

ASSEMBLY FLOOR: 76-0-4

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Harabedian, Hart, Hoover, Irwin, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
ABS, ABST OR NV: Haney, Jackson, Quirk-Silva, Celeste Rodriguez

UPDATED

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